

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA

v.

SAMY MOHAMMED HAMZEH

ARRAIGNMENT AND PLEA HEARING

CASE NUMBER 16-CR-21

HONORABLE DAVID E. JONES, presiding
Deputy Clerk: Katina Hubacz
Hearing Held: February 9, 2016

Court Reporter: FTR Gold
Hearing Began: 2:30:47
Hearing Ended: 2:49:08

Appearances:

UNITED STATES OF AMERICA by: Paul Kanter

SAMY MOHAMMED HAMZEH, in person, and by: Craig Albee ☐ CJA ☒ FDS ☐ RET

, in person, and by: ☐ CJA ☐ FDS ☐ RET

, in person, and by: ☐ CJA ☐ FDS ☐ RET

U.S. PROBATION OFFICE by: James Fetherston

INTERPRETER: ☒ None ☐ Sworn

☒ Original Indictment ☐ Superseding Indictment ☐ Information ☐ Misdemeanor ☐ Felony

Speedy Trial Date: 4/19/16 Trial Estimate: no estimate at this time

Final Pretrial Date: 4/5/16 at 9:00 AM Voir Dire: _____

Jury Trial Date: 4/18/16 at 9:00 AM Motions Due: TO BE SET

District Judge: Pamela Pepper Responses Due: TO BE SET

Magistrate Judge: William E. Duffin Replies Due: TO BE SET

<input checked="" type="checkbox"/> Defendant advised of rights	<input checked="" type="checkbox"/> Open file policy applies
<input type="checkbox"/> Court orders counsel appointed	Discovery available: _____
<input type="checkbox"/> Defendant to reimburse at \$ _____ per month	<input type="checkbox"/> Court discussed availability for incarcerated defendants
<input checked="" type="checkbox"/> Defendant advised of charges, penalties, and fines	<input checked="" type="checkbox"/> Government to disclose GJ materials one day prior to trial
<input checked="" type="checkbox"/> Copy of indictment received by defendant	<input checked="" type="checkbox"/> Case designated complex
<input type="checkbox"/> Indictment read; or <input type="checkbox"/> Defendant waives reading	<input checked="" type="checkbox"/> Status conference set for:
<input checked="" type="checkbox"/> Not guilty plea entered by:	<u>3/29/16 at 10:00 a.m.</u>
<input checked="" type="checkbox"/> defendant <input type="checkbox"/> the court	before <input checked="" type="checkbox"/> WED

Maximum Penalties:

Cts 1-3 Received and possessed firearms not registered - machine guns and silencer

10 yrs, \$250,000 fine, 3 yrs SR, \$100 SA

Govt states case should be designated complex. Approx 100 DVD's of recorded conversations in Arabic.

Govt plans to turn over original oral communications/recordings. Defense will need significant amount of time to review since they are actual recordings and will need to be translated.

Counsel agrees trial dates provided will need to be pushed out.

Suggest setting a status conference 30-45 days out, which will be held before Judge Duffin.
Court makes Speedy Trial finding that the time from today until 3/29/16 is excluded.

Bond:

Deft is detained. Defense is not prepared at this time to revisit detention. Detention is continued as previously set.

SAMY MOHAMMED HAMZEH

Bond Status:

- ☐ Defendant is ordered detained pending trial. SEE Order of Detention Pending Trial
- ☐ Court orders federal detainer
- ☐ Defendant is ordered temporarily detained for a maximum of : ☐ 3 days ☐ 5 days ☐ 10 days
Detention Hearing set for: _____
- ☐ Defendant detained but court will review upon motion proposing conditions of release
- ☐ Bond continued as previously set
- ☒ Detention continued as previously set by Judge Jones
- ☐ Defendant is released on: ☐ O/R bond ☐ Unsecured bond in the amount of: _____
☐ Bond secured by: ☐ Cash ☐ Property ☐ Cash/property

Conditions of Release:

- ☐ Report to Pretrial Services as directed
- ☐ Execute appearance bond:
 - ☐ Cash only _____
 - ☐ Property only: Value: \$ _____ Location: _____
 - ☐ Cash or property: _____
- ☐ Seek/maintain employment
- ☐ Surrender passport to: _____
- ☐ Obtain no passport
- ☐ Travel restricted to: ☐ ED-WI ☐ _____
- ☐ No direct or indirect contact with: _____
- ☐ Undergo medical/psychiatric treatment: _____
- ☐ No firearms/weapons
- ☐ No excessive use of alcohol ☐ No alcohol
- ☐ No use, or illegal possession, of narcotic drugs/controlled substances, unless prescribed by a physician or other licensed medical practitioner
- ☐ Notify any medical provider of drug addiction
- ☐ Furnish PTS with a list of prescribed medications
- ☐ Testing for drugs/alcohol
- ☐ Inpatient drug treatment _____
- ☐ Outpatient drug treatment s directed by PTS
- ☐ Home confinement:
 - ☐ Curfew: ☐ as directed by USPO; or ☐ from: _____
 - ☐ Home detention with EM with restriction to residence at all times except for employment, education, religious services, medical, substance abuse or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities approved in advance by USPO
 - ☐ Home detention with electronic monitoring
 - ☐ Defendant to pay cost of EM as directed by PTS
- ☐
- ☐
- ☐